

IT IS SO ORDERED.

Dated: 03:51 PM February 20 2009

  
MARILYN SHEA-STONUM *ESP*  
U.S. Bankruptcy Judge

**THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO**

IN RE:

Marlynn Renee O'Neal

DEBTOR(S)

)  
) CHAPTER 13  
) CASE NO: 07-51027  
)  
) MARILYN SHEA-STONUM  
) BANKRUPTCY JUDGE  
)  
) ORDER DISMISSING CHAPTER 13 CASE  
) AND ORDER FOR COURT TO RETAIN  
) JURISDICTION OVER ADVERSARY  
) PROCEEDING REGARDING THE UNITED  
) STATES TRUSTEE AND COUNTRYWIDE

.....

On or about April 15, 2008, the Chapter 13 Trustee caused to be filed a Motion to Dismiss and Request for Court to Retain Jurisdiction over Adversary Proceeding. The Trustee's motion is incorporated herein as if fully rewritten.

The basis for the Trustee's motion was that the debtor has passed away. The Trustee further noted that the United States Trustee had filed an adversary case, 08-05031, against Countrywide Home Loans, Inc. which requested prospective relief.

Subsequent to the Trustee filing this motion the Court held hearings and allowed both the United States Trustee and Countrywide to file responses to the Trustee's motion to dismiss. Both parties filed responses and neither the United

**CHAPTER 13**  
Keith L. Rucinski,  
Trustee  
One Cascade Plaza  
Suite 2020  
Akron, Oh 44308  
(330) 762-6335  
Fax  
(330) 762-7072  
Email  
krucinski@ch13akron.com

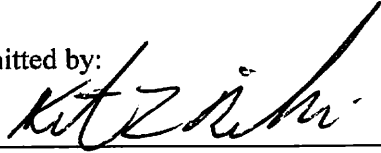
States Trustee nor Countrywide opposed the Trustee's motion to dismiss

Given no opposition of parties in interest, the Court hereby orders the case dismissed based on the motion of the Chapter 13 Trustee.

Furthermore, pursuant to 11 USC Section 349 and/or 11 USC Section 105, this Court hereby retains jurisdiction over adversary proceeding 08-05031 between the United States Trustee and Countrywide Home Loans, Inc.

###

Submitted by:



Keith L. Rucinski, Chapter 13 Trustee  
Ohio Reg. No. 0063137  
One Cascade Plaza, Suite 2020  
Akron, OH 44308  
Tel 330.762.6335  
Fax 330.762.7072  
[krucinski@ch13akron.com](mailto:krucinski@ch13akron.com)

cc:

Marlynn Renee O'Neal (deceased)  
c/o Robert M. Whittington, Esquire  
159 S. Main St.  
#1023  
Akron, OH 44308  
(via Regular Mail)

Robert C. Folland, Esquire  
Jeremy M. Campana, Esquire  
Thompson Hine LLP  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114  
Attorneys for Countrywide  
(via Regular Mail)

Thomas A. Connop, Esquire  
Locke, Lorn, Bissell, & Liddell LLP  
2200 Ross Ave., Suite 2200  
Dallas, TX 75201  
Attorney for Countrywide  
(via Regular Mail)

**CHAPTER 13**

Keith L. Rucinski  
Trustee  
One Cascade Plaza  
Suite 2020  
Akron, Oh 44308  
\_\_\_\_\_  
(330) 762-6335  
Fax  
(330) 762-7072  
Email  
[krucinski@ch13akron.com](mailto:krucinski@ch13akron.com)

John Sheahan  
Office of the US Trustee  
20 Massachusetts Ave. NW  
Suite 8100  
Washington, DC 20530  
(via Regular Mail)

Robert M. Whittington Jr., Esquire (via ECF)

Keith L. Rucinski, Chapter 13 Trustee (via ECF)

Attorney Amy Good, Office of the US Trustee (via ECF)

Daniel McDermott, US Trustee, Office of the US Trustee (via ECF)

Andy Vara, Asst. US Trustee, Office of the US Trustee (via ECF)

Derrick Ripley, Trial Attorney, Office of the US Trustee (via ECF)

All creditors listed on the matrix

**CHAPTER 13**

Keith L. Rucinski  
Trustee  
One Cascade Plaza  
Suite 2020  
Akron, Oh 44308  
\_\_\_\_\_  
(330) 762-6335  
Fax  
(330) 762-7072  
Email  
krucinski@chi3akron.com